

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tetsujiro Kondo, et al.
Serial No. : 09/830,858
For : SIGNAL PROCESSING METHOD AND APPARATUS AND
RECORDING MEDIUM
Filed : May 1, 2001
Examiner : Aggarwal, Yogesh K.
Art Unit : 2622
Confirmation No. : 3568

745 Fifth Avenue
New York, NY 10151
(212) 588-0800

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted via
Electronic Filing Services on May 22, 2008

DeAndre Breeland
(Name of person signing transmittal)

Signature
May 22, 2008
Date of Signature

**PREAPPEAL BRIEF REQUEST FOR REVIEW
AND NOTICE OF APPEAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed on March 21, 2008, please consider
the following remarks. Applicants also submit herewith a Notice of Appeal and an electronic
payment in the amount of \$510.00 as payment of the Notice of Appeal fee.

Claims 25, 27-45, 51 and 52 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Applicants' admitted prior art ("AAPA") in view of U.S. Patent No. 6,404,901 to Itokawa (hereinafter, merely "Itokawa").

Claims 53-58 and 70-84 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Applicants' admitted prior art in view of U.S. Patent No. 5,812,787 to Astle (hereinafter, merely "Astle").

III. RESPONSE TO REJECTIONS

Claim 25 recites, *inter alia*:

"A signal processing apparatus comprising:

... adjust distortion produced by projection according to the significant information." (Emphasis added)

Page 2 of the Office Action cites to paragraph [0008], which states, "[m]oreover, the data, distorted by projection, also includes the significant information for correcting the distortion". While this describes that the data, distorted by projection, also includes the significant information for correcting the distortion, it **does not** teach or suggest **how the correction of distortion is carried out**. Claim 25, however, specifically recites that the distortion is adjusted based on the significant information.

Therefore, Applicants respectfully submit that Itokawa and AAPA fail to teach or suggest the above-identified features of claim 25

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 25, independent claims 51 and 52 are also believed to be patentable.

Claim 53 recites, *inter alia*:

"A signal processing apparatus comprising:

a signal processor configured to extract significant information, buried by projection from said second signal, by performing signal processing on said second signal, and to generate a third signal alleviated in distortion caused by integrating effects of said sensor as compared to said second signal according to the significant information." (Emphasis added)

Applicants respectfully submit that Astle and AAPA do not teach or suggest a signal processing apparatus comprising a signal processor configured to extract significant information, buried by projection from said second signal, by performing signal processing on said second signal, and to generate a third signal alleviated in distortion as compared to said second signal according to the significant information, as recited in claim 53. Applicants submit that the background and foreground changes, as described in Astle, does not teach or suggest generating a third signal with alleviated distortion caused by integrating effects of the sensor, as recited in claim 53. Applicants appreciate the remarks on page 3 of the outstanding Office Action; however, Applicants respectfully disagree with the discussion of motion blur (and the introduction of U.S. Patent 6,567,192 to Toyomura). Applicants submit it is improper for the Office Action to create a mosaic of motion blur (described in U.S. Patent 6,657,192) and Astle to use as a basis of rejection of claim 53.

Therefore, Applicants submit that independent claim 53 is patentable.

Claim 70 recites, *inter alia*:

"A signal processing apparatus...comprising:

a separating unit configured to separate said mixed area in units of a pixel into said foreground object component and said background object component based on the specified results by said area specifying unit and said mixing ratio."
(Emphasis added)

Applicants respectfully submit that Astle and AAPA fail to teach or suggest the above-identified features of claim 70. Specifically, there is no teaching or suggestion of a signal processing apparatus comprising a separating unit configured to separate said mixed area in units of a pixel into said foreground object component and said background object component based on the specified results by said area specifying unit and said mixing ratio, as recited in claim 70. Specifically, Applicants submit that Astle fails to teach or suggest separating the mixed area in units of a pixel into foreground object component and background object component based on the mixture ratio, as recited in claim 70. Astle describes a separation bitmap; but does not describe how to make the separation bitmap from a natural image.

Therefore, Applicants submit that independent claim 70 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 70, independent claims 72, 73, 80, 83 and 84 are also believed to be patentable.

Claim 74 recites, *inter alia*:

“A signal processing apparatus...comprising:

a mixing ratio detecting unit configured to detect a mixing ratio between said foreground object components and said background object components at least in said mixed area based on the results specified by said area specifying unit and areas before and after said mixed area.” (Emphasis added)

Applicants respectfully submit that Astle and AAPA fail to teach or suggest the above-identified features of claim 74. Specifically, there is no teaching or suggestion of a signal processing apparatus comprising a mixing ratio detecting unit configured to detect a mixing ratio between said foreground object components and said background object components at least in said mixed area based on the results specified by said area specifying unit and areas before and

after said mixed area, as recited in claim 74. This feature is also shown in Fig. 42 of the Application as originally filed, which is not disclosed or suggested in Astle and AAPA.

Therefore, Applicants submit that independent claim 74 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 74, independent claims 78 and 79 are also believed to be patentable.

Therefore, Applicants submit that independent claims 25, 51-53, 70, 72-74, 78-80, 83 and 84 are patentable.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800